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Attorneys for Plaintiffs PAUL O'SULLIVAN,
MARIE BROWN, KEO YANG, SARAH
BARSOUM, SIRINE DALLOUL, HALA HAWA,
MONIR HAWA, CONSTANCE MARGERUM,
DIANA BARLETT, YER VANG, and CHERIE
DAVIS, individually, and all those similarly
situated

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Attorneys for Defendants DIAMOND PARKING,
INC. and DIAMOND PARKING SERVICES,
LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PAUL O'SULLIVAN, MARIE
BROWN, KEO YANG, SARAH
BARSOUM, SIRINE DALLOUL,
HALA HAWA, MONIR HAWA,
CONSTANCE MARGERUM, DIANA
BARLETT, YER VANG, and CHERIE
DAVIS, individually, and all those
similarly situated,

Plaintiff,

vs.

DIAMOND PARKING, INC. , a
Washington Corporation; DIAMOND
PARKING SERVICES, LLC, a
Washington Limited Liability
Company; and DOES 1 through 500,
inclusive,

Defendants.

Case No. C 07-03389 VRW

**STIPULATION AND [PROPOSED]
ORDER TO STAY ALL
PROCEEDINGS INCLUDING;
MOTION TO TRANSFER VENUE
AND FRCP RULE 26 DEADLINES;
DECLARATION OF JAMES A.
KRUTCIK**

1 **WHEREAS**, on May 21, 2007, Paul O’Sullivan, Marie Brown, Keo Yang,
 2 Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum,
 3 Diana Barlett, Yer Vang, and Cherie Davis, individually and on behalf of all those
 4 similarly situated (“PLAINTIFFS”) filed an action against Diamond Parking, Inc.
 5 and Diamond Parking Services, LLC (“DEFENDANTS”) alleging various violations
 6 of California wage and hour law;

7 **WHEREAS**, on June 28, 2007, DEFENDANTS filed a Notice to Adverse
 8 Parties of Removal to Federal Court and the Removal was granted;

9 **WHEREAS**, on July 27, 2007, DIAMOND PARKING INC. filed a Motion to
 10 Transfer Venue pursuant to 28 U.S.A. 1404 (a), which Motion is set for hearing on
 11 September 6, 2007;

12 **WHEREAS**, the parties have agreed to mediation and informal exchange of
 13 discovery, and to stay the entire action, including the Motion to Transfer Venue, for a
 14 period of 90 days pending the outcome of efforts to mediate this matter;

15 **IT IS AGREED AND STIPULATED**, by and between PLAINTIFFS and
 16 DEFENDANTS, through their respective counsel of record, that all matters in this
 17 action be stayed for 120 days, including:

- 18 1. A stay of DEFENDANTS’ Motion to Transfer Venue pursuant to 28
 19 U.S.C. 1404(a), and a continuance of the hearing to a convenient date 90
 20 days hence;
- 21 2. The deadline(s) under Federal Rule of Civil Procedure 26;
- 22 3. All formal discovery under Federal Rules of Civil Procedure, including
 23 depositions; and
- 24 4. Any Motion for Certification of Class Action.

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1 **IT IS SO STIPULATED.**

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3 DATED: August 10, 2007

KRUTCIK & GEORGIN

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5 By: /S/
6 James A. Krutcik, Esq.
7 Attorneys for PLAINTIFF
8

9 DATED: August 10, 2007

DAVIS WRIGHT TREMAINE LLP

10
11 By: /S/
12 John P. LeCrone, Esq.
13 Attorneys for DEFENDANTS,
14 DIAMOND PARKING, INC. and
15 DIAMOND PARKING
16 SERVICES, LLC

17 **IT IS SO ORDERED**

18
19 DATED: _____

20 **UNITED STATES DISTRICT COURT**
21 **JUDGE**
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**DECLARATION OF JAMES A. KRUTCIK IN SUPPORT OF STIPULATION
TO STAY MOTION TO TRANSFER VENUE AND PENDING FRCP RULE
26 DEADLINES**

I, James A. Krutcik, hereby declare as follows:

1. I am an attorney at law duly licensed to practice before all of the courts of the State of California and the United States District Court for the Northern, Central and Southern Districts of California. I am a partner in the law firm of Krutcik & Georggin, attorneys for Plaintiffs, Paul O'Sullivan, Marie Brown, Keo Yang, Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum, Diana Barlett, Yer Vang, and Cherie Davis. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would competently testify thereto.

2. On May 21, 2007, Paul O'Sullivan, Marie Brown, Keo Yang, Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum, Diana Barlett, Yer Vang, and Cherie Davis, individually and on behalf of all those similarly situated ("PLAINTIFFS") filed an action against Diamond Parking, Inc. ("DEFENDANTS") alleging various violations of California wage and hour law by DIAMOND PARKING, INC.

3. On June 28, 2007 DEFENDANTS filed a Notice to Adverse Parties of Removal to Federal Court and the Removal was granted.

4. On July 27, 2007, DIAMOND PARKING INC. filed a Motion to Transfer Venue pursuant to 28 U.S.A. 1404 (a).

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